

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.123 OF 2007
IN
INSOLVENCY PETITION NO.46 OF 2002

Ghisalal C. Shah and anr.	Petitioning Creditors
versus	
B.D.Agarwal and another	Insolvent

K.P.Jain for Official Assignee.
Mr.U.J.Makhija i/by K.J.Somani for i/by
Insolvent.
Mr.O.A.Das, Adv. for Central Bank of India.
Mr.Y.C.Parikh, Official Assignee present.

CORAM : A.M.KHANWILKAR, J.
DATE : 04th December 2007

PC :

1. The Official Assignee states that the charge of the property has already been taken over by the bank. As the property in question has already been taken over by the bank for sale so as to execute the order passed by the DRT operating against the applicant as well as judgement debtor, the question of considering prayer in this application does not arise. The applicant, if so advised, may be free to apply before the DRT for appropriate reliefs as may be permissible in law. Motion disposed of accordingly.

(A.M.KHANWILKAR, J.)